From: Association of Deputy District Attorneys
To: Kutches, Brandon (SHF)
Subject: Monday Morning Memo for February 18, 2019
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Courts & Rulings

Man entitled to trial in wrongful imprisonment case
The Ninth U.S. Circuit Court of Appeals yesterday revived a civil rights action by a man who was incarcerated for nearly 13 years in connection with a murder of which he was subsequently found by a judge to be factually innocent, decrying the action by District Court Judge Manuel Real of the Central District of California in deciding disputed facts on a motion for summary judgment.
Metropolitan News-Enterprise

Convicted ex-LA sheriff nears end of appeals to avoid prison
Former Los Angeles County Sheriff Lee Baca could face time behind bars after a federal court on Monday rejected the appeal of his conviction on corruption charges. Baca, who is 76 and has Alzheimer's disease, was sentenced to three years in prison for obstructing an FBI investigation into abuses at the nation's largest jail system. He was also convicted of conspiracy to obstruct justice and lying to federal authorities.
AP

Invocation of attorney-client privilege barred order for in camera inspection of emails
A judge who found that a city's privilege log in support of its stance that emails sought under the California Public Records Act were exempt from disclosure based on the attorney-client privilege was not authorized to order an in camera inspection of the communications, the Fourth District Court of Appeal has held. Justice Douglas P. Miller of Div. Two wrote the opinion, filed Wednesday and not certified for publication.
Metropolitan News-Enterprise

Should certain police records from the past stay private? Judge blocks release - for now
A Ventura County judge on Monday blocked the release of certain records on police misconduct and use of force pending a higher court ruling on whether they are exempt from a new law. Superior Court Judge Henry Walsh issued a preliminary injunction that prevents the Ventura County government from releasing records for eligible incidents predating Jan. 1, the date when the legislation took effect.
Ventura County Star

Time for challenging judge triggered by opposing transfer
The Fourth District Court of Appeal held yesterday that the 15-day time limit on a peremptory challenge to a judge in San Diego County was triggered when defendants in a San Bernardino Superior Court action filed opposition to a transfer of proceedings to that county. Justice Judith L. Haller of Div. One wrote the opinion which denies a petition for a writ of mandate.
Metropolitan News-Enterprise

New trial not warranted based on juror blurting out 'stupid' -

C.A.

A judge properly denied a motion for a new trial based on a criminal defendant's contention that a juror committed misconduct by muttering "stupid" during the defense lawyer's summation, the Court of Appeal for this district has held. It added that there had been no need for an evidentiary hearing to find out what the juror intended by the remark because the defense provided no declaration from that jury member or other jurors.

Metropolitan News-Enterprise

California law that rolled back felony-murder rule violates state constitution, judge says

A new state law that bars murder prosecutions for many accomplices in fatal crimes violates the California Constitution because it conflicts with voter-approved ballot measures, an Orange County judge has ruled. Other judges in the state have upheld the Legislature's recent rollback of the so-called felony-murder rule, however, and the law remains in effect in most of California while the issue heads for the appellate courts.

San Francisco Chronicle

Federal jury finds for St. Louis County police in Ferguson protester's claims of excessive force

A federal jury found on Friday in favor of St. Louis County police officers who had been sued by a Ferguson protester who claimed they used excessive force. The original suit, filed on behalf of 10 people in 2014 and seeking $41.5 million, claimed police used excessive force while arresting them during protests in the days after the Aug. 9, 2014, shooting of Michael Brown by then-Ferguson police Officer Darren Wilson.

St. Louis Post-Dispatch

Conviction to stand despite prosecutor's effort to arouse jurors' passion

A man convicted of first degree residential burglary and second degree robbery yesterday failed in his bid for a reversal based on the prosecutor, during rebuttal argument, telling jurors to act other than as dispassionate evaluators of the evidence. The defendant, George Alfaro, in burglarizing the home of Carol Cortes for the second time in two months, punched Cortes in the face and stole her cellphone.

Metropolitan News-Enterprise

In big win for coastal advocates, judge refuses to approve deal that would limit the public from reaching Hollister Ranch beaches

In a major victory for coastal advocates, a Santa Barbara judge has refused to approve a deal that would have allowed access to Hollister Ranch's coastline only to landowners, their guests, visitors with guides, and those who could boat or paddle in from two miles away.

Los Angeles Times

Ninth Circuit won't block deportation of sexual predator
The Ninth U.S. Circuit Court of Appeals yesterday, in a 2-1 decision, denied review sought by a citizen of Hungary who is protesting his impending deportation based on terrorizing three females over a period of five to six hours, forcing them, under threats of violence, to commit sexual acts. Circuit Judge Richard R. Clifton wrote the majority opinion, joined in by colleague Consuelo M. Callahan.
Metropolitan News-Enterprise

California AG sued over new police transparency law
A San Francisco Bay Area free-speech group sued California's attorney general and justice department Thursday over the refusal to disclose records on police misconduct under a new police transparency law. According to the complaint filed in San Francisco Superior Court, California Attorney General Xavier Becerra earlier this month refused the First Amendment Coalition's request for records pertaining to police misconduct and excessive uses of force, and justified the decision by citing multiple lawsuits over Senate Bill 1421's disclosure requirements pending in county courts across the state.
Courthouse News Service

Woman's action for wrongful handcuffing by police fails
A woman who was handcuffed by police during an early-morning investigative stop after they spotted what they mistakenly thought was a baggie of cocaine on the pavement may not proceed on her civil rights action against the officers, under a decision yesterday by the Ninth U.S. Circuit Court of Appeals. The memorandum opinion reverses an order denying summary judgement to two members of the police force in Davis, a city in Sacramento County.
Metropolitan News-Enterprise

State Bar comments
Remember last year when the State Bar of California asked for comments about a proposed rule requiring lawyers to get fingerprinted and just about everyone commenting thought it was a bad idea? The rule then got approved. This is not a terrible injustice or anything, but I bring this up because that same bar association is again asking for comments about more rule changes so, I guess, it will have something else to ignore.
Courthouse News Service

California judge orders Planned Parenthood workers' names to remain sealed
The names of 14 Planned Parenthood workers and others will remain sealed during the trial of two anti-abortion activists who are charged with secretly recording them, a California judge ruled Monday. The order by San Francisco Superior Court Judge Christopher Hite came in a

preliminary hearing in the prosecution of David Daleiden and Sandra Merritt of the Center for Medical Progress.
Valley Public Radio

Parole wrongly revoked based on explained delay in reporting
The Court of Appeal has held that a Los Angeles Superior Court commissioner abused his discretion in revoking the parole of a man who, upon being released from prison in Kings County on a Wednesday and given travel fare, was beaten and robbed by gang members at the train station and did not report to the Probation Office here until the next Monday.
Metropolitan News-Enterprise

Prop 47, 57 & AB 109

Property crime rates test San Franciscans' values
Two surprises greet first-time visitors to California's Bay Area. The first is that Silicon Valley is not a specific place but a booming mini-region, with no sign advertising when one has arrived or left. The second is that despite its beauty and wealth, San Francisco is one of America's grittiest cities. In some neighbourhoods people openly use drugs, defecate on the street and flagrantly steal. It feels as though law enforcement has turned a blind eye to many lesser offences.
The Economist

California Democratic lawmaker calls current law under Proposition 57 "grossly wrong"
A Democratic lawmaker from Northern California is calling the current law under Proposition 57 "grossly wrong." Assemblyman Jim Cooper of Sacramento says the prison reform measure gives violent sexual offenders the chance to be released early from prison. He cites one man who may be eligible for early release, who was convicted for stabbing his girlfriend with a butcher knife, molesting his 11-year-old niece and sexually assaulting a pregnant 17-year-old girl.
KSRO

Opinion: Democrat bill thwarts Prop. 57, lets budding psychopaths off easy
Californians passed Proposition 57 in 2016. Among other things, it established that juvenile criminals, no matter their crime, would only be tried as adults by order of a judge after a fitness hearing. The prosecutor must petition the court and a judge to provide a hearing during which the juvenile's history and mental capacity would be considered.
Times of San Diego

District attorney updates supervisors on proposed future of Day Reporting Center
The reality of a new Day Reporting Center (DRC) is edging closer,

according to District Attorney David Hollister in a presentation before the Plumas County Board of Supervisors on Jan. 22. Hollister was before supervisors by special invitation from Supervisor Lori Simpson. A temporary home for a new DRC is in the works, with a permanent home planned in the old correctional facility once the new jail is built, he reminded supervisors.
Plumas News

Community input sought for neighborhood court programs
The Yolo County District Attorney's Office and Yolo County Health and Human Services Agency will host a series of community engagement meetings aimed at getting feedback from the public in the development of two new grant proposals. Representatives from the DA's Office and HHSA will present concepts for programming that would be funded by these grants and use community feedback to refine the proposals prior to submission.
Davis Enterprise

Prosecutions / Prosecutors

Prosecutor seeking death penalty in bank massacre case
A prosecutor says he plans to seek the death penalty for a man arrested in the fatal shootings of five women at a Florida bank last month. State Attorney Brian Haas said at a news conference Friday that he had reached the "unquestionable conclusion" that he should seek the death penalty against 21-year-old Zephen Xaver. Haas also said a grand jury in Highlands County, Florida, this week had indicted Xaver on five counts of first-degree murder.
NBC4

Prosecutorial misconduct ruled in OC kickback scheme case
An Orange County Superior Court judge's ruling will make it difficult for prosecutors to go forward with a case against multiple defendants accused in a $106 million workers' compensation insurance kickback scheme that allegedly led to an infant's death, a defense attorney said Monday.
My News LA

What's inside your local prosecutor's 'black box'?
Your locally elected prosecutor is arguably the most powerful person in the criminal justice system. Armed with substantial enforcement discretion, prosecutors make daily, life-changing decisions on which laws to enforce, whom to charge with a crime, and what punishment to pursue. Unfortunately, the public knows almost nothing about these individuals and what guides their decision-making.
The Crime Report

Prosecutors in trial on McStay family murder want jurors to view CNN interview defendant gave before his arrest

Months before he was arrested on suspicion of murder in 2014, Charles "Chase" Merritt told a CNN reporter he was "definitely the last person" whom Joseph McStay saw. Now, jurors tasked with deciding whether Merritt killed McStay and his family - who lived in San Diego County - may be allowed to see that television interview for themselves.
Los Angeles Times

District Attorney Jackie Lacey lauds new unit for immigration fraud convictions
Los Angeles County District Attorney Jackie Lacey today lauded the work of the office's Notario Fraud Unit, which is dedicated to prosecuting immigration fraud and the unlawful practice of law. "Our great diversity attracts more than our share of people seeking to manipulate and cheat some of our newest residents out of their hard-earned money," District Attorney Lacey said.
Pasadena Now

California watchdog agency says it needs more power to go after misuse of public funds
California's campaign watchdog agency is sounding an alarm that local prosecutors have failed to file charges in dozens of cases where officials have allegedly used public funds for political purposes. The state Fair Political Practices Commission says they currently lack the authority to prosecute misuse of public funds because that power is reserved for city and county prosecutors and the state attorney general.
Los Angeles Times

Criminal Justice / Public Safety

California Democrats introduce 'immunity from arrest' law
California Democrats have introduced legislation to shield a person from the consequences of crimes they commit in California, even violent ones, as long as the person reports the crimes to authorities. The language of the proposed statute appears to immunize a person from ANY crime so long as they are reporting a violation of a sex crime law.
California Globe

Dennis McCarthy: 'Tool Box Killer' Lawrence Bittaker got the death penalty nearly 40 years ago. But old age will take him in the end
A promise was made 38 years ago to the families of five teenage girls in the South Bay and San Fernando Valley who had been kidnapped, raped, tortured, and murdered by a monster. It was a promise not kept. A jury had voted unanimously to sentence Lawrence Bittaker, 39, to die in the San Quentin gas chamber for the gruesome murders, but he lives on today, approaching his 80th birthday on death row.
Daily News

Ford's 2020 Explorer for police has hidden lifesaving design

feature
Michigan State Police 1st Lt. Mike Shaw has been nearly hit by speeding vehicles four times, twice while outside his car. "And four times is actually low. I know a trooper who has been hit more than 10 times," Shaw said. "You can probably talk to any state trooper. It's not a matter of if, but when. People just aren't paying attention out there, and sometimes they're impaired with alcohol or marijuana or even their cellphones. Maybe they're just gawking. And our troopers are getting hit."
Detroit Free Press

Unarmed but still dangerous: The facts behind some OIS headlines
When police shoot an "unarmed" individual, the implication or outright accusation by media and activists is often that the deadly force was unjustified because the subject, without a weapon, was "defenseless" and thus could not have posed a threat. Now a newly published study by two criminal justice researchers paints a far different picture. Their findings should be shared with PIOs and other LEOs responsible for communicating reality to the civilian world.
Force Science News

Is the answer to crime more cops?
Memphis Mayor Jim Strickland took office in 2016 vowing to fight the city's high violent crime rate by beefing up a dwindling police force. His most novel idea: use an advisory body, the Memphis Shelby Crime Commission, to funnel anonymous private donations from the city's elite to reward cops who remain on the force.
The Marshall Project

Policy & Legal Issues

Have an LA County warrant against you? Here's how you may be able to make it go away
People with certain Los Angeles County warrants can have them removed from the system when the Los Angeles County Sheriff's Department's Norwalk Station hosts its first warrant clearing event on Wednesday, Feb. 13. Sheriff Alex Villanueva said the eligible warrants are for traffic and non-violent misdemeanors. The event will take place at the Liberty Community Plaza, 14181 Telegraph Road in Whittier, from 7 a.m. to 1 p.m.
City News Service

Repeat DUI offenders in California could face harsher penalties
Repeat DUI offenders could now face harsher penalties in California, including felony charges and a longer vehicle impoundment. Assembly Bill 401 would change the current law, which states: "If a person is convicted of driving under the influence and the offense occurred within 10 years after 3 or more other violations for driving under the influence

that resulted in specified convictions, that person has committed an offense punishable as either a misdemeanor or a felony, and the person shall have their privilege to drive revoked."
CBS13 Sacramento

Weed at work: Is all cannabis illegal?
The legal landscape surrounding marijuana and the workplace is dynamic and changing quickly. Employers must navigate a labyrinth of federal and state statutes and court decisions when developing substance-abuse policies and drug-testing practices around cannabis. United States law currently treats two different species of cannabis - marijuana and hemp - quite differently.
Society for Human Resource Management

Crime

Crime amongst LA's homeless population rises again
The number of crimes reported to Los Angeles police that describe a homeless person as a suspect rose again in January, following a large statistical increase last year that officials said has yet to be fully explained. Los Angeles Police Department data obtained by the NBC4 I-Team showed 920 incident reports were filed by officers between Jan. 1 and Jan. 31, 2019 that included that suspect description, a 29 percent increase over January 2018.
NBC4 Los Angeles

Deputies arrest man who chanted 'white power' at Black Lives Matter protest for allegedly impersonating LAPD officer
The man seen wearing a Los Angeles Police Department shirt while shouting "white power" at a Black Lives Matter protest late last month was arrested after trying to represent himself as an officer to deputies in West Hollywood early Friday morning, officials said. Investigators are seeking additional victims after Daniel Sohn admitted he habitually poses as a police officer to get respect, L.A. County Sheriff's Deputy Joanna Warren said.
KTLA

Questions surround erratic crash involving LAPD commander in Carson
Questions surround a crash in Carson that involved a Los Angeles police commander abandoning his mangled vehicle after people reported him driving erratically on the 405 Freeway. In 911 calls from Jan. 24, panicked drivers are heard reporting an erratic driver on the southbound 405 Freeway. One driver said the vehicle was traveling at high speeds on the freeway without a front wheel.
ABC7

CA continues enforcement against illicit cannabis firms in L.A., Sacramento County

California's Bureau of Cannabis Control (BCC) announced further enforcement actions against unlicensed marijuana businesses. This sweep was against a pair of illegal retailers - one in Los Angeles and the other in Sacramento County. Licensed MJ firms in the state have long complained about black-market operators severely undercutting their sales.
Marijuana Business Daily

Fontana police find underground shooting range
Fontana police discovered an underground shooting range Thursday night. Members of the SMASH (Gang) Unit found the shooting range after obtaining a search warrant to search the home of a known gang member. A manhole was discovered that led to the underground shooting range. Weapons and ammunition were found in the residence including a 100 round drum for an AR-15 rifle.
CBS LA

Jailed convict faces additional time at sentencing for credit card `skimming'
A Norwalk man who previously spent about 10 years in prison for killing a gang rival and is currently behind bars in a drug case faces additional prison time Monday for his role in a fraud ring that stole credit card information from restaurant customers. Rudy Leo Aguilar, who goes by the street names "Fats" and "Dreamer," pleaded guilty in September in Los Angeles federal court to conspiracy to commit bank fraud and aggravated identity theft.
My News LA

Man arrested in South Bay after he's seen in video pouring bleach on store's frozen foods
A man wanted for tampering with "consumer products" at grocery stores in the Bay Area and Southern California has been apprehended by the Santa Clara County Sheriff's Department. The suspect, David Clare Lohr, was seen pouring "white powder" and hydrogen peroxide on the floor of a bus in the South Bay last week. Investigators spotted him at a Los Altos bus stop and discovered he was wanted by the FBI in Los Angeles for tampering with food products in that area.
NBC Bay Area

36 members of 2 violent LA gangs swept up in FBI-LAPD raid
Federal authorities dealt a major blow to two large, violent gangs that were terrorizing South LA and the San Fernando Valley. A total of 36 gang members were arrested Wednesday as part of a joint RICO (Racketeer Influenced and Corrupt Organizations) investigation by the FBI and LAPD. In the San Fernando Valley, Wednesday's bust comes 14 years after the Vineland Boys were hit with a series of federal indictments in the wake of the 2003 murder of Burbank police Officer Matthew Pavelka.

CBS LA

Los Angeles County Sheriff

Sheriff Villanueva is using faulty data to claim jail violence is rising

Los Angeles County Sheriff Alex Villanueva says the jails he now supervises are a dangerous mess: Inmates increasingly are assaulting one another, staff members are suffering more attacks and use of force has gone way up. He also says that his immediate predecessor, Jim McDonnell, covered up data on the jail violence in order to hide the problem from the public.
Los Angeles Times

New deputies graduate from Los Angeles County Sheriff's Academy

70 Sheriff's Department recruits graduated from the Deputy Academy during a ceremony held on Friday at the Performing Arts Center at College of the Canyons. Made up of 15 female and 55 male graduates, Academy Class 434 celebrated the formal transformation of academy recruits into sworn peace officers during the graduation ceremony, presided over by Los Angeles County Sheriff Alex Villanueva.
KHTS

L.A. County settles another jail sexual assault claim for $950,000

On the same day it called for more gender-responsive programming in county jails and decided to scrap plans for a new women's jail in Lancaster, the Los Angeles County Board of Supervisors approved a $950,000 payout to settle yet another claim by a woman alleging she was sexually assaulted by a deputy at the Century Regional Detention Center.
My News LA

L.A. sheriff wants to put tighter limits on ICE. Here are his plans to do it

Alex Villanueva's upset victory in last fall's L.A. County sheriff's race hinged on the overwhelming support he got from immigrant rights advocates and Latino voters. By vowing to strictly limit his department's cooperation with U.S. Immigration and Customs Enforcement and keep the county jails from becoming "a pipeline for deportation," Villanueva aimed to draw a sharp contrast with incumbent Sheriff Jim McDonnell, who initially refused to back California's so-called sanctuary state law.
Los Angeles Times

Lancaster is hiring police consulting firm

A law enforcement consulting firm hired to help develop options for a hybrid law enforcement model for the City of Lancaster will work with the Los Angeles County Sheriff's Department and key stakeholders and reach out to the community in the development of the model. Lancaster

has the largest contract in the county with the L.A. County Sheriff's Department. The city pays for a certain number of contract minutes per year.
Antelope Valley Press

Los Angeles County

LA County must "reimagine" its $2.2 billion jail construction project before moving ahead, say supervisors Solis & Kuehl
Tuesday's LA County Board of Supervisors' meeting is shaping up to be interesting - and possibly even combative - having to do with a new motion authored by Supervisors Hilda Solis and Sheila Kuehl. If passed, this motion will slam on the brakes for the county's controversial $2.2 billion jail building project, which has been in the works for nearly a decade.
Witness LA

County seeks Medicaid waiver
The Los Angeles County Board of Supervisors unanimously passed a motion by Supervisors Kathryn Barger and Hilda L. Solis at its Feb. 5 meeting to urge the state of California to apply for a Section 1115 Medicaid waiver that would expand coverage for inpatient mental health treatment. "Medicaid is the largest payer of mental health services and expansion of this coverage would be critical to those who are in need of treatment," Supervisor Barger said in a statement.
Antelope Valley Press

State senator enters race for seat on L.A. County Board of Supervisors
State Sen. Holly J. Mitchell announced Thursday that she is entering the race for the 2nd District seat on the Los Angeles County Board of Supervisors, further raising the prospect that the county could soon be governed by an all-female board. Mitchell joins a field that already includes several candidates, including Herb Wesson, president of the Los Angeles City Council, and Jan Perry, a former council member who once ran for mayor.
Los Angeles Times

Six former students sue USC and former doctor, allege sexual harassment
USC faces yet another legal battle - this time with accusations against former campus doctor Dennis Kelly. Six former students, who identify as gay or bisexual, have filed a lawsuit against the University and doctor, claiming Kelly committed sexual battery, sexual harassment and gender violence against them, according to the complaint.
Daily Trojan

Convictions/Sentences/Parole

Woodland Hills teen convicted of vehicular manslaughter in alleged illegal street racing death; murder charge tossed out
A teen whom authorities accused of engaging in an illegal street race that killed an innocent motorist in Tarzana two years ago was convicted of felony vehicular manslaughter Thursday at the Sylmar Juvenile Courthouse. After hearing arguments from both sides, Los Angeles Superior Court Judge Morton Rochman dismissed the second-degree murder charge against Pedram Shayesteh, 18, of Woodland Hills, citing insufficient evidence.
Los Angeles Daily News

Michelle Carter, convicted in boyfriend's texting suicide, ordered to begin prison sentence
Massachusetts' Supreme Judicial Court has denied Michelle Carter's petition to extend the stay of her sentence, according to the Bristol County District Attorney's Office. Carter was convicted of manslaughter in the suicide of her boyfriend. On Monday, she was taken into custody immediately after Judge Lawrence Moinz took just seven minutes to make the decision to revoke the stay on the sentencing in her conviction.
Boston25News.com

California / National

Can the California National Guard reject Trump's transgender military ban?
A general in the California National Guard had a message for transgender troops on Wednesday: "Nobody's going to kick you out." In response to the Trump administration's pursuit of a ban on transgender people serving openly in the military, Major General Matthew Beevers, the assistant adjutant general for the California National Guard, told state lawmakers that, "as long as you fight, we don't care what gender you identify as."
Pacific Standard

Government can waive environmental laws to build border wall prototypes, court rules
The Trump administration was within its rights to waive dozens of environmental laws to fast track some border construction projects in southern California, a federal appeals court has ruled. The Department of Homeland Security said in 2017 it would bypass various environmental regulations - including the National Environmental Policy Act, Clean Air Act, and Endangered Species Act - to quickly construct barriers and roads near the U.S.-Mexico border, NPR reported.
NPR

Former National Enquirer editor: David Pecker 'may end up doing time'
A former National Enquirer editor said Friday that he believes publisher

David Pecker "may end up doing time." "I think there's a very strong chance that David Pecker may end up doing time," Jerry George, the Enquirer's former Los Angeles bureau chief, said on CNN's "Erin Burnett OutFront." "It's looking less and less like yellow journalism and more like organized crime," he said.
The Hill

The neo-Nazi podcaster next door
A few days before alleged gunman Robert Bowers murdered 11 people in a Pittsburgh synagogue last October, he promoted a post by a well-known racist user of Gab, a social media platform that caters to white supremacists. The user had a "Pepe" frog avatar and a distinctly offensive moniker - "Grandpa Lampshade," a reference to an apocryphal story about a Nazi woman who made lampshades from the skin of Holocaust victims.
Huffington Post

Kamala Harris' stance on truancy again an issue as she launches presidential campaign
California Senator Kamala Harris' tough stance on truancy, her signature education issue while she was a local and state prosecutor, is again attracting attention as she embarks on a campaign for president and schools statewide are facing increased scrutiny on chronic absenteeism. In a video clip from a speech she gave in 2010 while she was San Francisco's district attorney, Harris, who later that year became the state attorney general, attributes her success in life to her education.
The Mercury News

You can be pro-black and a prosecutor
Since announcing her intention to run for president this past Martin Luther King Day, a firestorm has swirled around Sen. Kamala Harris. Some attack her for her personal life; others attack her based on her record as a prosecutor in California. Kamala served as San Francisco district attorney from 2004 to 2011 and as California attorney general from 2011 to 2017. She joined the United States Senate in 2017, where she still serves today.
The Root

Boston police enjoy delicious spread thanks to Pats' Super Bowl bet
Boston police officials were treated to pastrami, corned beef, and more thanks to the New England Patriots Super Bowl LIII victory. The delicious spread from Langer's Deli was shipped from L.A. to Boston compliments of Los Angeles Police Chief Michel Moore, who entered into an agreement with Police Commissioner William G. Gross that required the losing department to send the winner a well-known meal from their city.
7News Boston

Bill would make online access to federal court records free
House lawmakers introduced a bipartisan bill Wednesday that would remove online paywalls and make federal court records free to the public. PACER, as the Public Access to Court Electronic Records system is otherwise known, currently charges between 10 cents and $3 for most searches, page views and PDF document downloads.
Courthouse News Service

Marijuana

Prop. 64 purge reduces, dismisses 160 marijuana convictions in Napa County
More than 150 marijuana-related convictions were reduced or dismissed in an eight-month Proposition 64 purge in Napa County. The Napa County District Attorney's Office identified 295 eligible cases since 2011, which were sent to the Public Defender's Office for review, and out of which 160 petitions were returned to the district attorney for filing with the Napa County Superior Court. Work began in June.
Daily Republic

Pot is legal in 10 states, but the industry still can't use banks. Will Congress change that?
When a tax deadline approaches, county officials in the heart of California's marijuana country ring up millions of dollars in cash deliveries from licensed growers. Around the rest of the state, deep-pocketed cannabis growers and retailers make appointments three weeks in advance when they want to hand-deliver stacks of cash to the two dozen state tax offices that accept Benjamin Franklins.
McClatchy

One year later: How the marijuana black market is affecting local dispensaries
It has been about a year since California rolled out the legalization of recreational cannabis, and now that dispensary owners have had a whiff of the weed business, some say the cost of running a legal pot shop is burning through their profits. Jake Welty is the general manager at Captain Jack's in San Bernardino.
CBS LA

Guns

California gun confiscations increase sharply under restraining-order law
California police sharply increased gun confiscations last year from people considered to be a danger to themselves or others, state Justice Department figures show. Law enforcement agencies seized the weapons from people who were subject to gun violence restraining orders, under a law that had been lightly used in its first two years on the books.

San Francisco Chronicle

The U.S. Supreme Court and the Second Amendment
New York City restricts the ability of gun owners to transport their weapons outside the city, and this fall, the U.S. Supreme Court will decide if those rules violate the Second Amendment. The case has the potential to topple an assortment of local and state gun laws across the United States. The impact on California, which has more gun regulations on the books than any other state, could be volcanic.
Whittier Daily News

On guns, California wants to be a model for states. Should that matter to Pennsylvania?
Background checks for ammunition sales. A lifetime gun ownership ban on anyone convicted of domestic violence. A sales limit of one gun per person per month. Those are among the restrictive new laws and proposals that could reduce gun violence in California. The state already has stricter gun-control laws than most; legislators said this week they hope to position their state as a model for the rest of the nation.
The Inquirer

Media

Read the memo: LA Times hires again
I'm posting less here due to the distractions of other projects - sorry, folks - and the desire for a bit of a break from the relentless news cycle, but this was a more interesting day than usual on the local media front. First, I drove over to El Segundo for a guest appearance on the new Spectrum News 1 channel, where anchor Alex Cohen (the former KPCC host) was devoting her hour-long nightly show Inside the Issues with Alex Cohen to the current state of local news in Southern California.
LA Observed

Union: Los Angeles Times management wants 'unfettered' control over staffers' book projects
The Los Angeles Times Guild is raising concerns about a proposal from the newspaper's management to assert "unfettered control" over the outside projects - books and TV shows, for example - of its journalists, according to an open letter released on Wednesday. The proposal, according to the guild, has come in the late stages of negotiations over a union contract.
Washington Post

Corrections

Guard shoots inmate at DVI
An inmate at Deuel Vocational Institution was shot by a guard in an attempt to stop an attack on another inmate at the state prison at 23500 Kasson Road, just east of Tracy. A news release from the

California Department of Corrections and Rehabilitation said that two inmates attacked a third using handmade weapons at 2:20 p.m. Thursday on a basketball court in the prison's main recreation yard.
Tracy Press

Inmate reportedly dies in cell at Lompoc federal prison
An inmate died in his cell Sunday at the federal penitentiary in Lompoc, prison officials announced Monday morning. The inmate, whose name was not released, was reportedly found unresponsive in his cell around 4:20 a.m. Sunday. Staff immediately called for assistance and began life-saving measures, according to the prison, but the inmate was subsequently pronounced dead by Emergency Medical Services personnel.
Lompoc Record

Jail inmates exploited by phone service providers and hidden fees: Study
Phone service providers are exploiting the weaknesses of local jails to charge exorbitant rates to inmates and their families, according to a Prison Policy Initiative study. The costs of phone services has been dramatically lowered in state prisons as a result of lobbying by prison advocacy groups and caps imposed by the Federal Communications Commission, but calls from jails are now three times more expensive, averaging around $5.61 for a 15-minute call, said the study.
The Crime Report

Homeless

More money flows to Pomona to help house homeless
Pomona has received a new federal grant that will help the city provide 25 to 30 more rental assistance vouchers to individuals or families. The city was awarded a $589,000 grant from the U.S. Department of Housing and Urban Development on Feb. 1, said Benita DeFrank, Pomona's director of Neighborhood Services. The grant is meant to provide permanent rental assistance for a family who has someone with a disability or an individual with a disability.
Inland Valley Daily Bulletin

Pensions

CalPERS sued to identify retirees with disability
Two Sacramento Bee reporters hit a roadblock 15 years ago as they checked out a tip that many high-ranking California Highway Patrol officers were filing injury claims as they prepared to retire, giving them generous disability pensions with tax-free income. CalPERS would only provide the amount of the pension, not whether it was a disability retirement.
Calpensions

Public pensions report strong 2018 returns
According to the "2018 NCPERS Public Retirement Systems Study" one-year investment returns averaged 13.4% for all plans reporting last year, well above the 7.8% return reported in 2017. Fueled by strong investment returns, public retirement systems continued to strengthen their funding levels and fine-tune their assumptions, according to an annual study by the National Conference on Public Employee Retirement Systems (NCPERS).
Plansponsor

CalPERS posts net return of -3.5% for 2018
California Public Employees' Retirement System, Sacramento, posted a net return of -3.5% for the year ended Dec. 31, 77 basis points below its benchmark, documents from the $351.1 billion pension system show. By asset class, private equity posted the highest return at 12.5%. Forestland was the worst performing asset class, returning -11.1% for the year.
Pensions & Investments

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